

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Allen Brothers, Inc., an Illinois corporation,

Plaintiff

v.

Bob Larance, Inc., a Texas corporation, d/b/a
Roy Pope Grocery, and Robert Larance, an
individual,

Defendants.

Case No.

FILED: AUG 14, 2008

08CV4639

JUDGE GUZMAN

MAGISTRATE JUDGE KEYS

JFB

COMPLAINT

Plaintiff, Allen Brothers, Inc., for its Complaint, states as follows:

PARTIES, JURISDICTION AND VENUE

1. This is a civil action arising under: (a) the United States Trademark Act of 1946, as amended, 15 U.S.C. § 1051, et seq.” (the “Lanham Act”), for trademark infringement, unfair competition, false representations, descriptions and designations of origin, and counterfeiting; and (b) Illinois trademark and unfair competition law.

2. This Court has subject matter jurisdiction over this case under 15 U.S.C. § 1121, 28 U.S.C. §§ 1331 and 1338 and the principles of supplemental jurisdiction.

3. Allen Brothers, Inc. is an Illinois corporation having a principal place of business at 3737 South Halsted Street, Chicago, IL 60609. As used herein, “Allen Brothers” or “Plaintiff” refers to Allen Brothers, Inc.

4. On information and belief, Defendant Bob Larance, Inc. is a Texas corporation doing business as Roy Pope Grocery. On information and belief, Bob Larance, Inc. has a principal place of business at 2300 Merrick, Fort Worth, Texas 76107.

5. On information and belief, Defendant Robert Larance is a resident of Texas, is the President and owner of Bob Larance, Inc. and is directly responsible for the operations of Roy Pope Grocery.

6. This Court has personal jurisdiction over Bob Larance, Inc. and Robert Larance (collectively, "Roy Pope"), and pursuant to 28 U.S.C. § 1391(b)(2) venue is appropriate in this judicial district, because Roy Pope has, with knowledge of Allen Brothers, intentionally copied and used Allen Brothers' federally registered trademarks without permission, and such activity has been intentionally directed toward Allen Brothers, which is located in and maintains its corporate headquarters in this judicial district, and which Roy Pope knows is located in Illinois, and injury and damage to Allen Brothers by Roy Pope's unlawful activity has been caused in this judicial district.

GENERAL ALLEGATIONS

Allen Brothers

7. Allen Brothers has provided foods, including meats, in Chicago and other areas since 1893.

8. Allen Brothers was incorporated in Illinois in 1932.

9. Since at least as early as 1990 Allen Brothers has promoted and sold food products nationwide.

10. Among other goods, Allen Brothers provides beef (including USDA Prime beef and wagyu beef), pork, fowl (including duck), veal, prepared gourmet foods, seafood, jumbo shrimp, cheeses, desserts and lobster.

11. Allen Brothers markets and sells its products on a retail basis to the general public.

12. Allen Brothers markets and sells its products on a wholesale basis to restaurants.

13. Allen Brothers sells its products to restaurants in the United States including Morton's, the Chicago Chop House, Del Frisco's and The Prime Rib.

14. Since 1932, Allen Brothers has used the trademark ALLEN BROTHERS in connection with its goods and services.

15. Allen Brothers sells its foods, including steaks, in Illinois and Texas and in Fort Worth, Texas.

The Allen Brothers Trademark Registrations

16. Allen Brothers owns multiple federal trademark registrations for use in connection with Allen Brothers' goods and services (collectively, the "Allen Brothers marks").

17. Allen Brothers owns U.S. Trademark Registration No. 2703418 for "ALLEN BROTHERS" for meats, namely, beef, lamb and veal. A true and correct copy of the registration information as included in the database of the United States Patent and Trademark Office ("PTO") is attached hereto as Exhibit A.

18. Allen Brothers owns U.S. Trademark Registration No. 3297650 for "ALLEN BROTHERS" for meats, poultry, sausages, hot dogs, fish, seafood, shellfish and cheeses; prepared foods, namely, roasts, beef, stuffed filets, ham, crab cakes, stuffed shrimp, seafood, braised shanks, ribs, meatloaf, brisket, Shepherd pie, beef bourguignonne, meatballs, chili, bratwurst, sausages, jerky, poultry, soups, cheese pate, satay and caviar; prepared foods, namely, dumplings and desserts namely pies and cakes. A true and correct copy of the registration information as included in the PTO database is attached hereto as Exhibit B.

19. Allen Brothers owns U.S. Trademark Registration No. 2396415 for "PROMISE OF EXCELLENCE" for mail and telephone order catalog services featuring steaks and other meat products and staple foods. A true and correct copy of the registration information as included in the PTO database is attached hereto as Exhibit C.

20. Allen Brothers owns U.S. Trademark Registration No. 2358671 for "PROMISE OF EXCELLENCE" for meat. A true and correct copy of the registration information as included in the PTO database is attached hereto as Exhibit D.

21. Allen Brothers mails millions of illustrated, four-color catalogs annually, which prominently display the Allen Brothers marks.

22. Allen Brothers has more than 100,000 retail customers in the United States and internationally.

23. Many of Allen Brothers' retail sales are generated by Allen Brothers' website located at <www.allenbrothers.com>, which also prominently displays the Allen Brothers marks.

A true and correct printout of the home page at <www.allenbrothers.com> is attached as Exhibit E.

24. The Allen Brothers marks, as used with Allen Brothers' products and services, are inherently distinctive.

25. As a result of Allen Brothers' promotion, advertising and sales, consumers have come to associate the Allen Brothers marks as designating food products and services associated or connected with, originating from, or sponsored by Allen Brothers.

26. The annual sales within the United States of Allen Brothers' products and services that are identified by the Allen Brothers marks are well in excess of US \$50,000,000.00.

27. The Allen Brothers marks as used with Allen Brothers' products and services are inherently distinctive.

28. As a result of Allen Brothers' promotion, advertising and sales, consumers have come to associate the Allen Brothers marks as designating food products and services associated or connected with, originating from, or sponsored by Allen Brothers.

29. Long prior to the acts complained of herein, the Allen Brothers marks had come to represent valuable goodwill owned by Allen Brothers.

DEFENDANT'S UNAUTHORIZED USE OF THE ALLEN BROTHERS MARKS

30. On information and belief, Roy Pope is a gourmet grocery and delicatessen located in Fort Worth, Texas selling and offering for sale fresh produce, meat, wine and other grocery products from a store

31. On information and belief, Roy Pope is also the registrant, owner and operator of a Web site at <www.roypopegrocery.com> offering for sale and selling many of the same grocery products sold at Roy Pope's brick and mortar store. A true and correct copy of the WHOIS record showing the registration information for <www.roypopegrocery.com> is attached as Exhibit F.

32. On information and belief, Roy Pope's Web site at <www.roypopegrocery.com> is a fully interactive Web site allowing Internet visitors to contact Roy Pope Grocery and to

purchase grocery products on that Web site. A true and correct copy of the home page at <www.roypopegrocery.com> is attached as Exhibit G.

33. Roy Pope has advertised its meats on the Internet, and, on information and belief, has been advertising them as being meats from Allen Brothers.

34. The following is a true and correct quotation of a statement that appeared on Roy Pope's Web site:

Prime time! That is what our steaks are. We carry the very best prime beef available anywhere. It comes from Allen Brothers, the nation's finest and largest purveyor of USDA prime aged beef.

A true and correct copy of a Web page showing the above statement by Roy Pope is attached hereto as Exhibit H.

35. Roy Pope's representation that the meat it sold or sells comes from Allen Brothers is false.

36. Roy Pope has advertised its goods and services on the Internet by posting the Allen Brothers marks ALLEN BROTHERS and PROMISE OF EXCELLENCE on its Web site, as demonstrated by Exhibit H.

37. Roy Pope's use of Allen Brothers' registered Allen Brothers trademarks on its Web site constitutes a use of Allen Brothers' marks in commerce.

38. Roy Pope's use of Allen Brothers' registered Allen Brothers trademarks on its Web site and otherwise is without Allen Brothers' authorization or permission.

39. Roy Pope's use of Allen Brothers' registered Allen Brothers trademarks in association with Roy Pope's goods and services, including goods and services identical to those offered by Allen Brothers under the Allen Brothers marks, is likely to cause confusion among the consuming public concerning the source of those goods and services.

40. Roy Pope's activities complained of herein are likely to cause confusion by creating the false or erroneous impression that Roy Pope's products and services are affiliated with, connected to, associated with, sponsored by, originated from or approved by Allen Brothers.

COUNT ONE

**(False Designation of Origin and Unfair Competition Under 15 U.S.C. § 1125(a))
(Use of Registered Marks)**

41. Allen Brothers hereby incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

42. Since at least as early as 1893, Allen Brothers has used the mark ALLEN BROTHERS in connection with the sale of food products provided in United States commerce.

43. As a result of the continuous and extensive use by Allen Brothers of the Allen Brothers marks in connection with food products and services, the marks ALLEN BROTHERS and PROMISE OF EXCELLENCE have become recognized by relevant consumers as identifying Allen Brothers as the source of such food products and services.

44. On information and belief, Roy Pope has used in commerce the Allen Brothers marks in a manner likely to cause confusion, to cause mistake, or to deceive as to the affiliation, connection, sponsorship, approval or association of Roy Pope with Allen Brothers, and is likely to create confusion as to the origin of such products in violation of § 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

45. Roy Pope's past and ongoing harm to Allen Brothers is irreparable, continuing to the present and foreseeable future, and is a serious and unmitigated hardship.

46. As a direct and proximate cause of Roy Pope's conduct, Allen Brothers has been damaged in an amount not totally ascertainable and will continue to suffer irreparable injury to its goodwill, its rights and to its business, unless and until Roy Pope Grocery (and others in active concert) are restrained from continuing their wrongful acts.

COUNT TWO

**(False Designation of Origin and Unfair Competition Under 15 U.S.C. § 1125(a))
(False Statement of Origin)**

47. Allen Brothers hereby incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

48. Roy Pope's statement that the meat it sold came from Allen Brothers is a false statement likely to cause confusion, to cause mistake, or to deceive as to the affiliation,

connection, sponsorship, approval or association of Roy Pope Grocery with Allen Brothers, and is likely to create confusion as to the origin of such products in violation of § 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

49. Roy Pope's past and ongoing harm to Allen Brothers is irreparable, continuing to the present and foreseeable future, and is a serious and unmitigated hardship.

50. As a direct and proximate cause of Roy Pope's conduct, Allen Brothers has been damaged in an amount not totally ascertainable and will continue to suffer irreparable injury to its goodwill, its rights and to its business, unless and until Roy Pope (and others in active concert) are restrained from continuing their wrongful acts.

COUNT THREE

(Trademark Infringement Under 15 U.S.C. § 1114(a))

51. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

52. Roy Pope has used in commerce the registered mark ALLEN BROTHERS, Registration No. 2703418, in a manner likely to cause confusion, to cause mistake, or to deceive as to the affiliation, connection, sponsorship, approval or association of Roy Pope with Allen Brothers or Allen Brothers' goods or services, and is likely to create confusion as to the origin of Roy Pope or Allen Brothers' goods and services in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114(a).

53. As a direct and proximate cause of Roy Pope's conduct, Allen Brothers has been damaged in an amount not totally ascertainable and will continue to suffer irreparable injury to its goodwill, its rights and to its business, unless and until Roy Pope and others in active concert are restrained from continuing their wrongful acts.

COUNT FOUR

(Trademark Infringement Under 15 U.S.C. § 1114(a))

54. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

55. Roy Pope has used in commerce the registered mark ALLEN BROTHERS, Registration No. 3297650, in a manner likely to cause confusion, to cause mistake, or to deceive as to the affiliation, connection, sponsorship, approval or association of Roy Pope with Allen Brothers or Allen Brothers' goods or services, and is likely to create confusion as to the origin of Roy Pope or Allen Brothers' goods and services in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114(a).

56. As a direct and proximate cause of Roy Pope's conduct, Allen Brothers has been damaged in an amount not totally ascertainable and will continue to suffer irreparable injury to its goodwill, its rights and to its business, unless and until Roy Pope and others in active concert are restrained from continuing their wrongful acts.

COUNT FIVE

(Trademark Infringement Under 15 U.S.C. § 1114(a))

57. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

58. Roy Pope has used in commerce the registered mark PROMISE OF EXCELLENCE, Registration No. 2396415, in a manner likely to cause confusion, to cause mistake, or to deceive as to the affiliation, connection, sponsorship, approval or association of Roy Pope with Allen Brothers or Allen Brothers' goods or services, and is likely to create confusion as to the origin of Roy Pope or Allen Brothers' goods and services in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114(a).

59. As a direct and proximate cause of Roy Pope's conduct, Allen Brothers has been damaged in an amount not totally ascertainable and will continue to suffer irreparable injury to its goodwill, its rights and to its business, unless and until Roy Pope and others in active concert are restrained from continuing their wrongful acts.

COUNT SIX

(Trademark Infringement Under 15 U.S.C. § 1114(a))

60. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

61. Roy Pope has used in commerce the registered mark PROMISE OF EXCELLENCE, Registration No. 2358671, in a manner likely to cause confusion, to cause mistake, or to deceive as to the affiliation, connection, sponsorship, approval or association of Roy Pope with Allen Brothers or Allen Brothers' goods or services, and is likely to create confusion as to the origin of Roy Pope or Allen Brothers' goods and services in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114(a).

62. As a direct and proximate cause of Roy Pope's conduct, Allen Brothers has been damaged in an amount not totally ascertainable and will continue to suffer irreparable injury to its goodwill, its rights and to its business, unless and until Roy Pope and others in active concert are restrained from continuing their wrongful acts.

COUNT SEVEN

(Counterfeiting Under 15 U.S.C. § 1116(d))

63. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

64. This case arises under Section 32(1)(a) of the Lanham Act, 15 U.S.C. § 1114, because the Allen Brothers marks are registered in accordance with the provisions of the Lanham Act.

65. During the period complained of here, Roy Pope did not sell Allen Brothers' meats.

66. Nevertheless, Roy Pope marketed the meat referenced herein as meat that was supplied by Allen Brothers.

67. Roy Pope used a counterfeit of Allen Brothers' ALLEN BROTHERS mark, Registration No. 2703418, in a way likely to cause confusion, or to cause mistake, or to deceive.

68. Roy Pope's use of the ALLEN BROTHERS mark, Registration No. 2704318, was without Allen Brothers' permission.

69. Roy Pope's improper use of the marks described herein constitutes counterfeiting in violation of Section 34 of the Lanham Act, 15 U.S.C. § 1116(d).

70. Roy Pope's past an ongoing harm to Allen Brothers is irreparable, continuing to the present and foreseeable future, and is a serious and unmitigated hardship.

71. As a direct and proximate result of Roy Pope's conduct, Allen Brothers has been damaged in an amount not totally ascertainable, is entitled to statutory damages, and will continue to suffer irreparable injury to its goodwill, its rights and to its business, unless and until Roy Pope (and others in active concert) are restrained from continuing their wrongful acts.

COUNT EIGHT

(Counterfeiting Under 15 U.S.C. § 1116(d))

72. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

73. During the period complained of here, Roy Pope did not sell Allen Brothers' meats.

74. Nevertheless, Roy Pope marketed the meat referenced herein as meat that was supplied by Allen Brothers.

75. Roy Pope used a counterfeit of Allen Brothers' ALLEN BROTHERS mark, Registration No. 3297650, in a way likely to cause confusion, or to cause mistake, or to deceive.

76. Roy Pope's use of the ALLEN BROTHERS mark, Registration No. 3297650, was without Allen Brothers' permission.

77. Roy Pope's improper use of the marks described herein constitutes counterfeiting in violation of Section 34 of the Lanham Act, 15 U.S.C. § 1116(d).

78. Roy Pope's past an ongoing harm to Allen Brothers is irreparable, continuing to the present and foreseeable future, and is a serious and unmitigated hardship.

79. As a direct and proximate result of Roy Pope's conduct, Allen Brothers has been damaged in an amount not totally ascertainable, is entitled to statutory damages, and will continue to suffer irreparable injury to its goodwill, its rights and to its business, unless and until Roy Pope (and others in active concert) are restrained from continuing their wrongful acts.

COUNT NINE

(Counterfeiting Under 15 U.S.C. § 1116(d))

80. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

81. During the period complained of here, Roy Pope did not sell Allen Brothers' meats.

82. Nevertheless, Roy Pope marketed the meat referenced herein as meat that was supplied by Allen Brothers.

83. Roy Pope used a counterfeit of Allen Brothers' PROMISE OF EXCELLENCE mark, Registration No. 2396415, in a way likely to cause confusion, or to cause mistake, or to deceive.

84. Roy Pope's use of the PROMISE OF EXCELLENCE mark, Registration No. 2396415, was without Allen Brothers' permission.

85. Roy Pope's improper use of the marks described herein constitutes counterfeiting in violation of Section 34 of the Lanham Act, 15 U.S.C. § 1116(d).

86. Roy Pope's past and ongoing harm to Allen Brothers is irreparable, continuing to the present and foreseeable future, and is a serious and unmitigated hardship.

87. As a direct and proximate result of Roy Pope's conduct, Allen Brothers has been damaged in an amount not totally ascertainable, is entitled to statutory damages, and will continue to suffer irreparable injury to its goodwill, its rights and to its business, unless and until Roy Pope (and others in active concert) are restrained from continuing their wrongful acts.

COUNT TEN

(Counterfeiting Under 15 U.S.C. § 1116(d))

88. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

89. During the period complained of here, Roy Pope did not sell Allen Brothers' meats.

90. Nevertheless, Roy Pope marketed the meat referenced herein as meat that was supplied by Allen Brothers.

91. Roy Pope used a counterfeit of Allen Brothers' PROMISE OF EXCELLENCE mark, Registration No. 2358671, in a way likely to cause confusion, or to cause mistake, or to deceive.

92. Roy Pope's use of the PROMISE OF EXCELLENCE mark, Registration No. 2358671, was without Allen Brothers' permission.

93. Roy Pope's improper use of the marks described herein constitutes counterfeiting in violation of Section 34 of the Lanham Act, 15 U.S.C. § 1116(d).

94. Roy Pope's past and ongoing harm to Allen Brothers is irreparable, continuing to the present and foreseeable future, and is a serious and unmitigated hardship.

95. As a direct and proximate result of Roy Pope's conduct, Allen Brothers has been damaged in an amount not totally ascertainable, is entitled to statutory damages, and will continue to suffer irreparable injury to its goodwill, its rights and to its business, unless and until Roy Pope (and others in active concert) are restrained from continuing their wrongful acts.

COUNT ELEVEN

(Violation of Illinois Consumer Fraud and Deceptive Business Practices Act – 815 ILCS § 505/1 *et seq.*)

96. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

97. Roy Pope's acts constitute unfair and deceptive business practices, unlawful misappropriation and unfair competition under the Illinois Consumer Fraud and Deceptive Business Practices Act, 815 ILCS 505/1 *et seq.*

98. Roy Pope's conduct has caused, and is causing, irreparable harm to Allen Brothers. Unless this Court enjoins Roy Pope from continuing its unauthorized use of the Allen Brothers marks and/or colorable imitations thereof, Allen Brothers will continue to suffer irreparable harm.

COUNT TWELVE

(Violation of Illinois Deceptive Trade Practices Act – 815 ILCS § 510/1 *et seq.*)

99. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

100. Roy Pope's acts have caused a likelihood of confusion or misunderstanding among the public in violation of the Illinois Deceptive Trade Practices Act, 815 ILCS § 510/1 *et seq.*

101. Roy Pope's conduct has caused, and is causing, irreparable harm to Infiniti. Unless this Court enjoins Roy Pope from continuing its unauthorized use of the Allen Brothers marks and/or colorable imitations thereof, Allen Brothers will continue to suffer irreparable harm.

COUNT THIRTEEN

(Common Law Unfair Competition)

102. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

103. Roy Pope's acts constitute unfair competition under Illinois common law.

104. Roy Pope's infringement of the Allen Brothers marks has caused, and is causing, irreparable harm to Allen Brothers. Unless this Court enjoins Roy Pope from continuing its unauthorized use of the Allen Brothers marks and/or colorable imitations thereof, Allen Brothers will continue to suffer irreparable harm.

COUNT FOURTEEN

(Common Law Trademark Infringement)

105. Allen Brothers incorporates by reference all previous allegations of this Complaint as if specifically set forth herein.

106. Roy Pope's acts constitute trademark infringement under Illinois common law.

107. Roy Pope's infringement of the Allen Brothers marks has caused, and is causing, irreparable harm to Allen Brothers. Unless this Court enjoins Roy Pope from continuing its

unauthorized use of the Allen Brothers marks and/or colorable imitations thereof, Allen Brothers will continue to suffer irreparable harm.

PRAYER FOR RELIEF

WHEREFORE, Allen Brothers respectfully prays for relief against Roy Pope as follows:

A. For a temporary restraining order, and preliminary and permanent injunction pursuant to 15 U.S.C. § 1116 and state common law remedies, restraining Roy Pope, its officers, directors, agents, servants, employees and all persons in active concert or participation with it who receive actual notice of the injunction by personal service or otherwise from doing, abiding, causing, aiding or abetting any of the following:

- (1) using the mark “ALLEN BROTHERS” or any confusingly similar mark in connection with the sale, marketing or provision of food products, whether as an “adword,” trade name, business name, trademark or service mark;
- (2) using the mark “PROMISE OF EXCELLENCE” or any confusingly similar mark in connection with the sale, marketing or provision of food products, whether as an “adword,” trade name, business name, trademark or service mark
- (3) otherwise infringing upon Allen Brothers’ marks;
- (4) falsely stating that products it sells are supplied directly or indirectly from Allen Brothers; and
- (5) competing unfairly with Allen Brothers in any manner whatsoever.

B. That Roy Pope be directed to account and pay to Allen Brothers all damages suffered by Allen Brothers as a result of Roy Pope’s wrongful conduct described above including its violation of the Lanham Act, pursuant to 15 U.S.C. § 1114 *et seq.* and state statutes and common law, as well as to account for all gains, profits and advantages derived by such wrongful conduct.

C. That such damages caused by Roy Pope be trebled because Roy Pope’s infringement of the Allen Brothers’ marks is intentional and therefore warrants enhanced

damages and/or punitive damages under federal, state and/or common law as the Court may find appropriate. *See* 15 U.S.C. § 1117.

D. That Allen Brothers be awarded statutory damages for Roy Pope's acts of counterfeiting Allen Brothers' registered trademarks, of a maximum of \$100,00 per counterfeit per type of goods sold, or \$400,000 total.

E. That Allen Brothers be awarded its attorneys' fees and costs incurred herein under the provisions of 15 U.S.C. § 1117.

F. That Allen Brothers be awarded post-judgment interest on the foregoing sums at the maximum rated permitted by law from the date judgment is entered until paid.

G. For such other and further relief as the Court deems appropriate under the circumstances.

DATED this 14th day of August, 2008

Jessica E. DeMonte (Ill Bar No. 6288817)
jdemonte@ssd.com
SQUIRE, SANDERS & DEMPSEY L.L.P.
Three First National Plaza
70 W. Madison, Suite 2015
Chicago, Illinois 60602
Telephone: 312.428.4720
Facsimile: 312.575.8679

ALLEN BROTHERS, INC.,

s/Christopher I. Cedillo

One of Its Attorneys

Christopher I. Cedillo (Ill. Bar No. 6274683)
ccedillo@ssd.com
SQUIRE, SANDERS & DEMPSEY L.L.P.
Two Renaissance Square
40 North Central Avenue, Suite 2700
Phoenix, Arizona 85004-4498
Telephone: 602.528.4000
Facsimile: 602.253.8129

Attorneys for Plaintiff Allen Brothers, Inc.

FILED: AUG 14, 2008

08CV4639

JUDGE GUZMAN

MAGISTRATE JUDGE KEYS

JFB

EXHIBIT A

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2008-08-07 14:02:29 ET

Serial Number: 75822393 Assignment Information Trademark Document Retrieval

Registration Number: 2703418

Mark (words only): ALLEN BROTHERS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-04-08

Filing Date: 1999-10-12

Transformed into a National Application: No

Registration Date: 2003-04-08

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2008-05-06

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Allen Brothers, Inc.

Address:

Allen Brothers, Inc.
3737 South Halsted Street
Chicago, IL 60609
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Illinois

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

Meats, namely, beef, lamb and veal

Basis: 1(a)

First Use Date: 1932-00-00

First Use in Commerce Date: 1932-00-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-05-20 - Notice Of Suit

2008-05-06 - Case File In TICSRS

2003-04-08 - Registered - Principal Register

2003-01-14 - Published for opposition

2002-12-25 - Notice of publication

2002-11-15 - Approved for Pub - Principal Register (Initial exam)

2002-10-30 - Assigned To Examiner

2002-10-11 - Communication received from applicant

2002-10-11 - PAPER RECEIVED

2001-12-13 - Letter of suspension mailed

2001-12-06 - Assigned To Examiner

2001-12-04 - Reinstated

2000-11-28 - Abandonment - Failure To Respond Or Late Response

2000-02-29 - Non-final action mailed

2000-02-24 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Michael A. Lechter

Correspondent

MICHAEL A. LECHTER
SQUIRE, SANDERS & DEMPSEY L.L.P.
TWO RENAISSANCE SQ
40 N CENTRAL AVE, STE 2700
PHOENIX, AZ 85004-4498

EXHIBIT B

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2008-08-07 14:03:26 ET

Serial Number: 78870325 Assignment Information Trademark Document Retrieval

Registration Number: 3297650

Mark

ALLEN BROTHERS

(words only): ALLEN BROTHERS

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2007-09-25

Filing Date: 2006-04-26

Transformed into a National Application: No

Registration Date: 2007-09-25

Register: Principal

Law Office Assigned: LAW OFFICE 105

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-09-25

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Allen Brothers, Inc.

Address:

Allen Brothers, Inc.
3737 South Halsted Street

Chicago, IL 60609
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Illinois

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

Meats, poultry, sausages, hot dogs, fish, seafood, shellfish and cheeses; prepared foods, namely, roasts, beef, stuffed filets, ham, crab cakes, stuffed shrimp, seafood, braised shanks, ribs, meatloaf, brisket, Shepherd pie, beef bourguignonne, meatballs, chili, burgers, bratwurst, sausages, jerky, poultry, soups, cheese, pate, satay and caviar

Basis: 1(a)

First Use Date: 1932-01-01

First Use in Commerce Date: 1932-01-01

International Class: 030

Class Status: Active

Prepared foods, namely, dumplings and desserts namely pies and cakes

Basis: 1(a)

First Use Date: 1987-01-01

First Use in Commerce Date: 1987-01-01

ADDITIONAL INFORMATION

Prior Registration Number(s):

2703418

2733674

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-09-25 - Registered - Principal Register

2007-07-10 - Published for opposition

2007-06-20 - Notice of publication

2007-05-01 - Law Office Publication Review Completed

2007-05-01 - Examiner's Amendment Entered

2007-05-01 - Examiner's amendment mailed

2007-05-01 - Approved for Pub - Principal Register (Initial exam)

2007-05-01 - Examiner's Amendment Entered

2007-05-01 - Examiners Amendment - Written

2007-04-11 - Amendment From Applicant Entered

2007-03-07 - Communication received from applicant

2007-04-11 - Assigned To LIE

2007-03-07 - PAPER RECEIVED

2006-09-05 - Non-final action mailed

2006-09-02 - Non-Final Action Written

2006-09-02 - Assigned To Examiner

2006-05-02 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

David E. Rogers

Correspondent

DAVID E. ROGERS

SQUIRE, SANDERS & DEMPSEY L.L.P.

SUITE 2700

TWO RENAISSANCE SQ., 40 N CENTRAL AVE.

PHOENIX, AZ 85004

Phone Number: (602) 528-4122

Fax Number: (602) 253-8129

EXHIBIT C

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2008-08-07 14:02:45 ET

Serial Number: 75590715 Assignment Information Trademark Document Retrieval

Registration Number: 2396415

Mark (words only): PROMISE OF EXCELLENCE

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2007-01-04

Filing Date: 1998-11-18

Transformed into a National Application: No

Registration Date: 2000-10-17

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2007-01-04

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Allen Brothers, Inc.

Address:

Allen Brothers, Inc.
3737 South Halsted Street
Chicago, IL 60609
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Illinois

GOODS AND/OR SERVICES

International Class: 035

Class Status: Active

Mail and phone order catalog services featuring steaks and other meat products and staple foods

Basis: 1(a)

First Use Date: 1998-08-00

First Use in Commerce Date: 1998-08-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-01-04 - Section 8 (6-year) accepted & Section 15 acknowledged

2006-12-14 - Assigned To Paralegal

2006-10-16 - Section 8 (6-year) and Section 15 Filed

2006-10-16 - TEAS Section 8 & 15 Received

2006-01-25 - Case File In TICRS

2000-10-17 - Registered - Principal Register

2000-07-17 - Allowed for Registration - Principal Register (SOU accepted)

2000-07-13 - Assigned To Examiner

2000-07-11 - Statement of use processing complete

2000-05-16 - Amendment to Use filed

1999-11-23 - Notice of allowance - mailed

1999-08-31 - Published for opposition

1999-07-30 - Notice of publication

1999-05-26 - Approved for Pub - Principal Register (Initial exam)

1999-05-24 - Assigned To Examiner

1999-05-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

DAVID E. ROGERS

Correspondent

DAVID E. ROGERS

SQUIRE, SANDERS & DEMPSEY L.L.P.

TWO RENAISSANCE SQUARE

40 NORTH CENTRAL AVENUE STE 2700

PHOENIX, ARIZONA 85004-4424

EXHIBIT D

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2008-08-07 14:03:03 ET

Serial Number: 75590717 Assignment Information Trademark Document Retrieval

Registration Number: 2358671

Mark (words only): PROMISE OF EXCELLENCE

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2006-09-02

Filing Date: 1998-11-18

Transformed into a National Application: No

Registration Date: 2000-06-13

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2006-09-02

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Allen Brothers, Inc.

Address:

Allen Brothers, Inc.
3737 South Halsted Street
Chicago, IL 60609
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Illinois

GOODS AND/OR SERVICES

International Class: 029

Class Status: Active

Meats

Basis: 1(a)

First Use Date: 1998-08-00

First Use in Commerce Date: 1998-08-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2006-09-02 - Section 8 (6-year) accepted & Section 15 acknowledged

2006-06-26 - Section 8 (6-year) and Section 15 Filed

2006-06-26 - TEAS Section 8 & 15 Received

2006-03-27 - Case File In TICRS

2000-06-13 - Registered - Principal Register

2000-04-10 - Allowed for Registration - Principal Register (SOU accepted)

2000-04-06 - Assigned To Examiner

2000-04-04 - Statement of use processing complete

2000-02-01 - Amendment to Use filed

1999-09-28 - Notice of allowance - mailed

1999-07-06 - Published for opposition

1999-06-04 - Notice of publication

1999-03-15 - Approved for Pub - Principal Register (Initial exam)

1999-03-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

DAVID E. ROGERS

Correspondent

DAVID E. ROGERS

TWO RENAISSANCE SQUARE

40 NORTH CENTRAL AVENUE

SUITE 2700

PHOENIX, ARIZONA 85004-4424

EXHIBIT E

ALLEN BROTHERS

THE GREAT STEAKHOUSE STEAKS

HOME ABOUT US CONTACT US ORDER TRACKING
1.800.957.0111

SEARCH

GIFT SELECTIONS

RECIPES / COOKING GUIDE

REQUEST A CATALOG
CART

SHOPPING ASSISTANCE

VIEW

USDA Prime Steaks

Wet-Aged Beef

Dry Aged Beef

Kobe Wagyu Beef

Never Frozen Beef

The Great Steakhouse
Roasts

Meadow Reserve Veal

Appetizers

Side Dishes

Soups

Buffalo (Bison) & Venison

Chef Art Smith Entrees

Desserts

Duck

Heat & Serve Entrees

Lamb

The Great Steakhouse Pork

The Great Steakhouse

Poultry

Sausages and Bratwurst

Seafood

Steak Burgers & Dogs

Smoked Meats

New Products

Internet Specials

Favorites

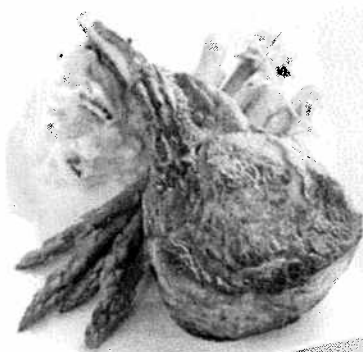
Celebrity/Media Advocates

SIGN UP FOR EMAIL
SPECIAL OFFERS!

ENTER YOUR ADDRESS

ENTER YOUR PHONE

ENTER YOUR EMAIL



Meadow Reserve Veal Rib Chop

Complimentary

Steak Burgers or
Crab Cakes

with orders of \$99 or more per address

[Click here for more details](#)

SKIRT STEAKS



Skirt Steak

Skirt steaks, original or our new teriyaki-marinated, are the preferred meat for fajitas. Broiling or grilling these steaks enhances their robust flavor and firm, juicy texture, also making them a delicious standby for sandwiches and other everyday meals.

9 - (8oz) Skirt Steaks
12 - (8oz) Skirt Steaks
12 - Teriyaki marinated Skirt Steaks

[Skirt Steaks](#)

BONELESS RIBEYE STEAKS



Boneless Ribeye Steaks

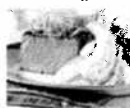
Boneless Ribeye Steaks, also called Delmonico Steaks, are thick-cut from our succulent rib roasts. WET-AGED RIBEYE STEAKS are distinguished by their rich marbling and the natural "flavor kernel" that runs through each steak. It is this marbling that slowly melts and pastes the meat throughout the cooking process, imparting these steaks with a mellow, prime rib flavor. While we make every attempt to meet the thicknesses listed, these figures are only averages.

10/12 oz. Steaks - Approx. 1.25"
14/16 oz. Steaks - Approx. 1.5"

[Boneless Ribeye Steaks](#)

THE GREAT STEAKHOUSE STEAKS AND OTHER GOURMET SELECTIONS

Filet Mignon



Our filet mignon steaks are slowly wet-aged for a buttery tenderness and delectable flavor that are unique to Allen Brothers. We start with the finest cuts of USDA Prime and Choice available. But we go further, hand-selecting every cut according to its marbling, texture, and color. We then hand-carve our filets from the center of the tenderloin for superior flavor and juiciness. This painstaking attention to detail ensures that Allen Brothers delivers amazing, savory filets every time you order. If you have not yet experienced this succulent, flavorful filet mignon, now is the perfect time.

[Shop Now](#)

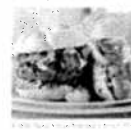
USDA Prime Steaks



Enjoy steaks cut from the finest USDA Prime Beef available. Since its founding, Allen Brothers has been recognized as the source for USDA Prime beef and other highest-quality meats. Why? Because we will not compromise. Less than two percent of American beef is outstanding enough to earn the coveted USDA Prime rating - but all Prime is not equal. Because variations in marbling, texture, and color can make a tremendous difference, we hand-select our beef to make sure each item is the best of the best.

[Shop Now](#)

Steak Burgers & Steak Dogs



Serve the world's finest Steak Burger with Allen Brothers' NEW USDA PRIME beef patties. These individually packaged patties are made from hand-selected USDA PRIME ground beef for exceptional quality and flavor.

With a firm, juicy bite, bold flavor and lightly smoked aroma, our all-beef Steak Dogs are in a class by themselves. Each perfectly seasoned Ranch Chicago-style wiener is enclosed in natural casings, just to its pork and regular in sheep. Precooked and just heat and serve.

[Shop Now](#)

Sirloins

Sirloins are thick and meaty making them the first choice of many steak lovers. Aged to perfection by Allen Brothers, sirloin reaches its potential with juiciness and flavor that are absolutely unsurpassed. Any way you serve them, it's a meal worth savoring.

Shop Now ▶

Internet Specials

Whether you're trying us for the first time, or coming back for more of our famous quality products and services, you'll love these popular selections. Now at great limited-time-only special prices. **Save between 10-20% from the Original Retail Price!**

Shop Now ▶

Chef Art Smith Entrees

Art Smith, one of America's most celebrated chefs, has teamed up with Allen Brothers to turn his favorite recipes into great meals for you and your family to enjoy at home. Art's new cookbook, *Back to the Family*, has just been published, and we're delighted to present his "Back to the Family" creations - all special and all exclusive to Allen Brothers.

Shop Now ▶

BEST SELLING STEAKS

- ▶ Filet Mignon
- ▶ Porterhouse Steaks
- ▶ Ribeye Steaks
- ▶ Wagyu Sirloin Strip Steaks

EXHIBIT F

NetworkSolutions

Call us 1-800-333-7680 (U.S. Only)
Login Help

Shopping Cart

WHOIS Search Results

Available roypopegrocery extensions:

<input type="checkbox"/> .net	<input type="checkbox"/> .org	<input type="checkbox"/> .us	<input type="checkbox"/> .mobi	<input type="checkbox"/> .info	<input type="checkbox"/> .biz	<input type="checkbox"/> .de	<input type="checkbox"/> .tv	<input type="checkbox"/> .co.uk	<input type="checkbox"/> .eu	<input type="checkbox"/> .bz
-------------------------------	-------------------------------	------------------------------	--------------------------------	--------------------------------	-------------------------------	------------------------------	------------------------------	---------------------------------	------------------------------	------------------------------

Order Selected Domain(s)

Your WHOIS Search Results



roypopegrocery.com
Services from Network Solutions.

Certified Offer Service - Let us help you get this domain name!
Backorder - Try to get this name when it becomes available.
Private Registration - Keep personal information for this domain private.
SSL Certificates - Get peace of mind with a secure certificate.
Enhanced Business Listing - Promote your business to millions of viewers for only \$1 a month!

Visit AboutUs.org for more information about ROYPOPEGROCERY.COM [AboutUs](#).
ROYPOPEGROCERY.COM

Registrant:
Roy Pope Grocery
2300 Merrick St.
Ft. Worth, TX 76107
US

[Make this info private](#)

Domain Name: ROYPOPEGROCERY.COM

Promote your business to millions of viewers for only \$1 a month!

Learn how you can get an Enhanced Business Listing here for your domain name.

[Learn More](#)

Administrative Contact :

Larance, Bob
roypope@FLASH.NET
2300 Merrick St.
Ft. Worth, TX 76107
US
Phone: (817) 732-2863
Fax: 999 999 9999

Technical Contact :

Pacific Bell Internet Services,
dina@eventech.com
PO Box 940972
Plano, TX 75075
US
Phone: 1-868-WEBHOST
Fax: 415-442-4999

Record expires on 14-Apr-2009

Record created on 14-Apr-2000

Database last updated on 05-Oct-2006

Domain servers in listed order:

[Manage DNS](#)



Need a Web site? Host it with us
and your domain name renewal will
be FREE!

DOMAIN OPTIONS

Premium Names

- ☐ popevalley.org
\$588
- ☐ ohioagrocery.com
\$849
- ☐ judgeroymooore.net
\$300
- ☐ popevalley.net
\$688
- ☐ ohiogrocerystore.com
\$124
- ☐ roywhites.com
\$300
- ☐ popejohn.net
\$788

Misspellings

- ☐ r0ypopegrocery.com
- ☐ rypopegrocery.com
- ☐ roypepegrocery.com
- ☐ roypapegrocery.com
- ☐ royp0pegrocery.com
- ☐ royppegrocery.com
- ☐ roypopagrocery.com
- ☐ roypopogrocery.com

Similar Names

- ☐ roy-pope-grocery.com
- ☐ roy-catholic-grocery.com
- ☐ roycatholicgrocery.com
- ☐ roy-pope-market.com
- ☐ roypopemarket.com
- ☐ roycatholicmarket.com
- ☐ roy-catholic-market.com
- ☐ r0ypopegrocery.com

[Add Domain\(s\) to Cart](#)

SEARCH AGAIN

When you register a domain name, current policies require that the contact information for your domain name registration be included in a public database known as WHOIS. To learn about actions you can take to protect your WHOIS information visit www.internetprivacyadvocate.org.

NOTICE AND TERMS OF USE: You are not authorized to access or query our WHOIS database through the use of high-volume, automated, electronic processes or for the purpose or purposes of using the data in any manner that violates these terms of use. The Data in Network Solutions' WHOIS database is provided by Network Solutions for information purposes only, and to assist persons in obtaining information about or related to a domain name registration record. Network Solutions does not guarantee its accuracy. By submitting a WHOIS query, you agree to abide by the following terms of use: You agree that you may use this Data only for lawful purposes and that under no circumstances will you use this Data for (1) abusive, unlawful or otherwise support the infringement of laws, unsolicited, commercial advertising or solicitations via direct mail, e-mail, telephone, or facsimile, or (2) enable high-volume, automated, electronic processes that apply to Network Solutions' or its

NS26A.SBC-WEBHOSTING.COM
NS26B.SBC-WEBHOSTING.COM

198.66.164.44
198.66.164.74

Show underlying registry data for this record

Enter a search term:

e.g. networksolutions.com

Search by:

☒ Domain Name

☐ IP Address

Search

Current Registrar: NETWORK SOLUTIONS, LLC.

IP Address: 64.143.90.50 (ARIN & RIPE IP search)

IP Location: US(UNITED STATES)-TEXAS-PLANO

Record Type: Domain Name

Server Type: Rapidsite 1

Lock Status: clientTransferProhibited

Web Site Status: Active

DMOZ: 1 listings

Y! Directory: see listings

Secure: No

E-commerce: Yes

Traffic Ranking: Not available

Data as of: 25-May-2004



Need to get your business online?

Our professional designers can build a custom Web site for your business \$11.95/month, plus a \$499.00 design fee.

Go



PerformanceClicks™ from Network Solutions

Create and manage your pay per click advertising from as low as \$125/month plus \$99 one time set-up fee.

Go

SOLUTIONS TO GET ONLINE

SOLUTIONS TO GET CUSTOMERS

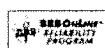
CORPORATE INFORMATION

RESOURCES

SOLUTIONS TO SELL ONLINE

SOLUTIONS FOR ONLINE SECURITY

SOLUTIONS TO SAVE MONEY



Web hosting customer
award experience
JD Power and Associates



PayPal




100% Secure Transaction

For your protection, this Web site is secured with the highest level of SSL Certificate encryption.

© Copyright 2008 Network Solutions. All rights reserved.

EXHIBIT G



ROY POPE

**Fort Worth's Finest
Gourmet Grocery
& Deli**

Since 1943

[Philosophy](#)
[Gourmet Grocery](#)
[Fresh Produce](#)
[Prime/Choice Meat](#)
[Gourmet Deli](#)
[Fine Wine](#)
[Buy Now](#)
[* Online Store *](#)
[Contact Us](#)
[History](#)
[Delivery](#)
[Map](#)
[News](#)


New Online Store Selling the Roy Pope Product Line
[Go Shopping NOW!](#)

Roy Pope started the business, located at 2300 Merrick, in 1943 and ran it until his death in 1967. John LeMond, who had worked at the store since 1947, then took over and owned it until he retired in 1990, when he turned the reins over to Bob and Renee Larance.

**Come try the cleanest, freshest meats
and produce of the highest quality available,
from the oldest family grocer
in Fort Worth**

The Philosophy We Live By!

- **Serving our customers only the finest quality of products.**
- Providing the friendliest, fastest service, and no waiting in lines!
- **Offering an environment that is convenient and easy to get around in.**
- Locally owned, where the owner is inside to take care of our customers.
- **An asset to our neighborhood community that we have been serving for over 59 years.**
- We still do it right, the old-fashioned way.



Bob & Renee Larance, Owners

(817) 732-2863

**2300 Merrick
Fort Worth, TX 76107**


Store Hours:
8 AM- 7 PM
Monday - Saturday
Closed Sunday

[EMAIL US](#)

EXHIBIT H

**Fort Worth's Finest
Gourmet Grocery
& Deli**

Since 1943



Roy Pope's Prime/Choice Meat

Philosophy

Gourmet Grocery

Fresh Produce

Prime/Choice Meat

Gourmet Deli

Fine Wine

Buy Now
* Online Store *

Contact Us

History

Delivery

Map

News

(817) 732-2863

**2300 Merrick
Fort Worth, TX 76107**


Store Hours:
8 AM- 7 PM
Monday - Saturday
Closed Sunday

EMAIL US

Prime Beef	Lamb	Veal	Fish	Wild Game
------------	------	------	------	-----------

Prime Beef

Prime time!



That is what our steaks are. We carry the very best prime beef available anywhere. It comes from Allen Brothers, the nation's finest and largest purveyor of USDA prime aged beef.

We have a great selection of prime rib, strips, T-bones, ribeyes, tenderloins, as well as other cuts.

We offer three grades of fresh shop ground meats:: chuck 80% lean, round 85% lean and sirloin 93% lean.



We never use pre-ground boxed meat.

We carry both dry aged and wet aged beef.

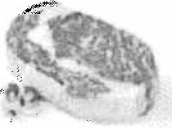

Dry aging is process that was the standard until 20 years ago. It is a more costly process that allows beef to be stored in a dry aged cooler for up to 30 days. It produces extremely tender beef, under a very controlled environment. Dry aged beef is mellow and intense, it has a nutty taste with a buttery tender texture.

Wet aging is a different process that allows meat to age in it's own juices for a succulent taste and juicy tenderness.

-Top-





We custom cut per special requests.

Lamb

Only the best will do!



Cedar Springs Colorado Lamb

Our lamb comes from the Rocky Mountains of Colorado where it is bred strictly for food. Colorado lamb is considered the premier red meat for the food service industry and is considered the best in the world! Lamb has been associated mainly with upscale "white table cloth" restaurants. It is the most easily digested red meat.

We buy our lamb from B. Rosen & Sons, the largest purveyor of Colorado lamb located in the heart of Colorado lamb country.

-Top-

Veal

Veal for all!

Our Provimi veal has set the standards for high quality, special fed veal for over 30 years. Provimi veal continues to be the recognized leader and innovator in the market. We